

WITNESS STATEMENT OF BRUCE CHEN

PERSONALLY APPEARED, Bruce Chen, who, being duly sworn, stated as follows:

1. My name is Bruce Chen. I have worked at the Nan Ya Plastics Corporation, America, Lake City plant since February of 1992. I was formerly Director of Technical Services. In October 2001, I became Director of Quality Control. I have three offices. One in QC I, QC II and one upstairs in the Administration Building. My job duties require me to move from place to place during the work day.
2. Cheryl Powell has worked in either QC I or QC II during the entire time she worked at Nan Ya. These Sections are under my supervision. I did not directly supervise Cheryl Powell, but I knew who she was. She was an average employee at best. She made fairly frequent errors, but no big mistakes. I would only get involved if she made a big mistake.
3. Cheryl Powell had a tardiness problem. Her assigned work start time was 8:00 a.m. Most of the time when she came to work, her supervisors were in a production meeting. I saw her come in late several times. She was just a few minutes late. I do not know how many times she was late. I only saw her come in late several times. She could have been late many more times.
4. After seeing her come in late several times, I talked to David Trammel, Stephen Page, and Travis Hyman. I asked them if they knew she was coming in late. They said that they were in a meeting. I told them that they did not need to be a Section Manager if they could not control their employees and make them come to work on time. I told them, "How can you be a Section Manager if you cannot control your people?" Based on this, David, Stephen, and Travis gave Cheryl Powell a warning to get her to come to work on time.
5. I also saw Cheryl Powell eating at her desk. She is the only person I have seen eating at their desk in a QC II office. I do not remember what she was eating, but I believe it was fruit.

I told her not to eat at her desk. I told her to eat in the break area during break time and lunch. I also talked to Travis Hyman and Stephen Page about Cheryl eating at her desk and told them this was not acceptable. When I told Cheryl, she smiled and agreed not to eat at her desk.

6. The day Cheryl was terminated, Stephen Page told me that Cheryl was very angry and raised her voice with him. She would not stop talking and return to work when he asked her to. He asked her several times. Jimmy Liu was also in the office at the time. I asked Jimmy Liu what happened. Jimmy Liu told me that Cheryl Powell's attitude was very bad. He said Stephen Page had asked Cheryl to return to work from another office and that she began shouting at him.
7. I discussed the matter with Eric Stevenson and reported the insubordinate behavior to him. After discussions with Stephen Page and David Trammel, the decision was made to terminate her employment based upon her insubordination and her past discipline history.

Pursuant to 28 U.S.C. §1746, I declare under penalty and perjury that the foregoing is true and correct.



Bruce Chen

Dated this 19 day of May.